

a. Bayle
ORIGINAL

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Attorney for Defendant
Audrey Pacheco fka
Audrey Pulgados

LODGED

JUN 06 2006
11:15 AM
CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JUN 07 2006
at 4 o'clock and 30 min
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII


UNITED STATES OF AMERICA,	)	CR. NO. 05-00325 HG-03
)	
Plaintiff,	)	<u>EX PARTE</u> APPLICATION FOR ORDER
	)	DIRECTING UNITED STATES
vs.	)	MARSHAL'S SERVICE TO ARRANGE
	)	FOR DEFENDANT'S ROUNDTrip
AUDREY PACHECO, fka (03)	)	INTERISLAND TRANSPORTATION
AUDREY PULGADOS	)	FOR CHANGE OF PLEA OR TRIAL;
Defendant.	)	DECLARATION OF COUNSEL; ORDER
)	
)	

EX PARTE APPLICATION FOR ORDER DIRECTING UNITED
STATES MARSHAL'S SERVICE TO ARRANGE FOR DEFENDANT'S
ROUNDTrip INTERISLAND TRANSPORTATION FOR CHANGE OF PLEA OR TRIAL

Defendant, Audrey Pacheco, formerly known as Audrey Pulgados, through counsel, hereby applies to this Honorable Court for an order directing the U.S. Marshal's Service to arrange for Defendant's inter-island roundtrip transportation for change of plea or trial, scheduled before this court on or about July 18, 2006.

This application is made pursuant to the provisions of 18 U.S.C. § 4285 and is based upon the attached declaration of counsel.

DATED: Honolulu, Hawaii, June 5, 2006.


DANIEL T. PAGLIARINI
Attorney for Defendant
Audrey Pacheco

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00325 HG-03
)	
Plaintiff,	)	DECLARATION OF COUNSEL
)	
vs.)	
)	
AUDREY PACHECO, fka)	
AUDREY PULGADOS,)	
)	
Defendant.)	

DECLARATION OF COUNSEL

I, DANIEL T. PAGLIARINI hereby declare as follows:

1. That I am counsel for defendant, AUDREY PACHECO, fka AUDREY PULGADOS, having been appointed pursuant to the Criminal Justice Act.

2. That 18 U.S.C. § 4285 reads as follows:

“Any judge or magistrate judge of the United States, when ordering a person released under chapter 207 on a condition of his subsequent appearance before that court, any division of that court, or any court of the United States in another judicial district in which criminal proceedings are pending, may, when the interests of justice would be served thereby and the United States judge or magistrate judge is satisfied, after appropriate inquiry, that the defendant is financially unable to provide the necessary transportation to appear before the required court on his own, direct the United States marshal to arrange for that person's means of non-custodial transportation or furnish the fare for such transportation to the place where his appearance is required, and in addition may direct the United States marshal to furnish that person with an amount of money for subsistence expenses to his destination, not to exceed the amount authorized as a per diem allowance for travel under section 5702(a) of title 5, United States Code.

3. Defendant AUDREY PACHECO, who is indigent, currently resides in Kona Hawaii, Hawaii and cannot afford roundtrip airfare to attend her change of plea or trial scheduled before this court on July 18, 2006.

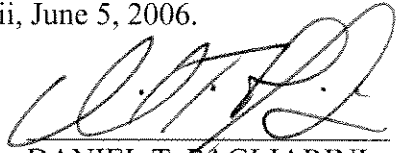
4. Declarant has been quoted the approximate total cost of roundtrip interisland air travel on Aloha Island Airlines for departure and return on July 18, 2006 to be approximately \$150.00 purchased online, and \$190.00 purchased via telephone.

5. Declarant is not requesting any per diem, nor any other incidental charges related to Defendant Pacheco's prospective travel.

6. Based upon the foregoing, Declarant requests this court to issue the attached order directing the U.S. Marshal's Service to arrange for Defendant's roundtrip interisland transportation from Kona, Hawaii to Honolulu, Hawaii, as supervised by U.S. Pretrial Services.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, June 5, 2006.

A handwritten signature in black ink, appearing to read 'D. T. Pagliarini', is written over a horizontal line.

DANIEL T. PAGLIARINI
Attorney for Defendant
Audrey Pacheco, fka
Audrey Pulgados

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Telephone: (808) 587-5800

Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00325 HG-03
)	
Plaintiff,	)	ORDER GRANTING DEFENDANT'S <u>EX</u>
	)	<u>PARTE</u> APPLICATION FOR ORDER
vs.	)	DIRECTING UNITED STATES
	)	MARSHAL'S SERVICE TO ARRANGE
AUDREY PACHECO, fka	)	FOR DEFENDANT'S ROUNDTrip
AUDREY PULGADOS (03)	)	INTERISLAND TRANSPORTATION
	)	FOR CHANGE OF PLEA OR TRIAL
Defendant.)	
_____)	

ORDER GRANTING DEFENDANT'S EX PARTE APPLICATION FOR ORDER
DIRECTING UNITED STATES MARSHAL'S SERVICE TO ARRANGE FOR
DEFENDANT'S INTERISLAND TRANSPORTATION
FOR CHANGE OF PLEA OR TRIAL

Defendant Audrey Pacheco, fka Audrey Pulgados, through counsel, having moved this court by ex parte application pursuant to 18 U.S.C. 4585 for an order directing the U.S. Marshal's Service to arrange for Defendant's roundtrip interisland transportation from Kona Hawaii to Honolulu, Hawaii and return for purposes of change of plea or trial;

NOW, THEREFORE, GOOD CAUSE APPEARING, IT IS HEREBY
ORDERED that the U.S. Marshal's Service arrange for Defendant Audrey Pacheco, fka

Audrey Pulgados' noncustodial roundtrip transportation in order for Defendant to attend her change of plea or trial.

DATED: Honolulu, Hawaii, JUN 06 2006.

APPROVED AND SO ORDERED:


UNITED STATES MAGISTRATE JUDGE
District of Hawaii

UNITED STATES v. AUDREY PACHECO, fka AUDREY PULGADOS

CR. NO. 05-00325-03

ORDER GRANTING DEFENDANT'S EX PARTE APPLICATION FOR ORDER
DIRECTING UNITED STATES MARSHAL'S SERVICE TO ARRANGE FOR
DEFENDANT'S ROUNDTrip INTERISLAND TRANSPORTATION FOR CHANGE OF
PLEA OR TRIAL